UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re:	:	
	:	
Michelle Barnett AKA Michelle Croswell	:	**Case No.: 16-58053**
	:	**Chapter 13**
Jon Barnett	:	**Judge John E. Hoffman Jr.**
	:	* *
Debtor(s).	:	
	:	

OBJECTION TO CONFIRMATION OF PLAN (DOCKET NUMBER 5)

Now comes Nationstar Mortgage LLC ("Creditor") by and through its attorneys, Manley Deas Kochalski LLC, and objects to confirmation of the Chapter 13 plan of Michelle Barnett AKA Michelle Croswell and Jon Barnett (collectively, "Debtor"). For the reasons which follow, confirmation should be denied.

MEMORANDUM IN SUPPORT OF OBJECTION

Creditor is a creditor herein secured by a first mortgage lien upon the Debtor's real estate located at 6427 Albany Gardens Dr, New Albany, OH 43054. The Debtor's Chapter 13 Plan proposes to treat Creditor's claim unfairly by providing for an inadequate arrearage amount. The amount of the arrearage in the Chapter 13 Plan is not listed and the amount that Creditor has calculated and intends to include in its claim is $21,176.30. In addition, Creditor objects to said treatment and asserts that, as of the petition date herein, Creditor's claim was fully secured by value in the real estate. Accordingly, § 1322(b)(2) of the Bankruptcy Code and the United States Supreme Court's holding in Nobleman v. American Savings Bank (In re: Nobleman), 508 U.S. 324 (1993) prohibit the Debtor's proposed modification of Creditor's mortgage.

WHEREFORE, Creditor respectfully requests the Court to deny confirmation of the Debtor's proposed Chapter 13 Plan.

Respectfully submitted,

/s/ Adam B. Hall

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Attorneys for Creditor
The case attorney for this file is Adam B. Hall.
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Objection to Confirmation was

electronically through the court's ECF System at the email address registered with the court:

Office of U.S. Trustee, Southern District of Ohio, Party of Interest, 170 North High Street, #200, Columbus, OH 43215

Faye D. English, 10 West Broad Street, Suite 900, Columbus, OH 43215, faye.english@ch13columbus.com

David B Schultz, Attorney for Michelle Barnett AKA Michelle Croswell and Jon Barnett, 580 E Rich Street, Columbus, OH 43215, dschultz@lawlh.com

and by ordinary U.S. mail on January 12, 2017 addressed to:

Michelle Barnett AKA Michelle Croswell and Jon Barnett, 6427 Albany Gardens Drive, New Albany, OH 43054

/s/ Adam B. Hall
Adam B. Hall